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November 25, 2014

VIA ECF

The Honorable A. Kathleen Tomlinson
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722-4438

    Re: *Perez v. Allstate Insurance Company,* **11-CV-1812 (JB) (AKT)**

Dear Judge Tomlinson:

    We are counsel to Allstate in the above matter. We write to address a few points raised in Plaintiffs' letter of November 24.

    First, Allstate joins in Plaintiffs' request to adjourn the pre-trial conference and deadline for submission of the pre-trial order. For a number of reasons, including the fact that notice of the pending Rule 23 class claim has not yet been issued to the class, pre-trial submissions are premature at this time. In addition, Allstate, like Plaintiffs, may initiate the summary judgment motion process before Judge Bianco.

    Second, regarding notice to the class, we too hope and expect that the parties will soon reach agreement on the form and method of distribution of the notice. We also believe, however, that the notice will require submission to and approval by Judge Bianco before it can be distributed. (His decision granting class certification (ECF No. 138) did not discuss or mention the notice process or the draft Plaintiffs had submitted with their motion papers.) That process should not take long, but it may not be able to be completed on the timetable that Plaintiffs' letter suggests.

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On behalf of Allstate, we thank the Court for its attention to this matter, and are available to answer any questions Your Honor may have.

Respectfully submitted,

SEYFARTH SHAW LLP

/s/ *Robert S. Whitman*

Robert S. Whitman

cc: Plaintiffs' counsel (via ECF)

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